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THE GENDARMERIE IN FRANCE PRIOR TO 1940 WITH EMPHASIS ON ITS MILITARY POLICE FUNCTIONS

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I. Introduction

In the United States, the military police "...consists of personnel authorized to a commander to assist him in the enforcement of laws, regulations, and orders, and for other purposes as outlined..." in Basic Field Manual: Military Police, FM29-5. Chapter 2 of this manual, entitled "Duties", includes comprehensive lists of the peacetime and wartime duties of the American military police.

There was no such organization in France. The French Army did not include special military units with peacetime tactical assignments and known as military police units.

However, there was a military police in France, and the so-called Gendarmerie, together with the Garde Mobile, were in charge of that military police. But to avoid serious misunderstanding as to the role and duties of the Gendarmerie and of the Garde Mobile, it is necessary to define clearly what was understood in France by the term military police.

What the French usually called Military Police was that part of the National Army (and later of the navy) which had to fulfill certain police duties, both in the military and in the civil life, from a military, a judicial, and an administrative standpoint.

Such a conception is quite different from the American military police understood as embracing the whole of all military police questions which might arise within the army in peacetime or in wartime. The normal competency of the French military police was therefore much more and, at the same time, much less extensive than the competency of the American military police. Much more extensive, because it covered in normal times an important field of the civil life which had nothing to do at all with military police functions; and yet less extensive, because many police duties as listed in Field Manual FM29-5 have never been fulfilled in France by the military police forces known as the Gendarmerie and the Garde Mobile. It therefore follows that:

a. There are military police duties in the United States army which are not performed by the French military police but by other organizations.

b. There are military police duties which are covered by military police organizations both in America (MP) and in France (Gendarmerie, Garde Mobile).

c. Finally, the French military police performs civil police duties which have never come under the American military police.

II. Military police duties which are performed in France by non-military police organizations

A. Military police peacetime duties

1. Within military reservations. The American military police has very important duties within posts, camps, and stations.

"In a post, camp, or station having both an interior guard and a military police force...a commanding officer may require all interior guard duty to be performed by the military police, reinforcing the military police for this purpose. He may place the interior guard under the direction of the provost marshal."[1]

Nothing of that kind was to be found in France. Within military reservations, all police duties were usually performed by interior guards as organized by the commanding officers and belonging to the military units stationed in those reservations, such as: infantry, cavalry, artillery, and so on. When different units were stationed in the same post, police guard duties were alternately performed by detachments (or "piquets") of one arm or other. Even in very large training camps which were organized for yearly maneuvers and which are more similar to the actual American training camp, camps like Mailly, Sissonne, Coëtquidan, La Courtine, and Le Valdahon, police duties within the camp were performed by the military administration of the camp assisted by those units momentarily maneuvring in that camp. The Gendarmerie or Garde Mobile usually had nothing to do within such camps. By and large, interior guards were charged with those military police duties as listed in FM29-5 (pp. 4 and 5);[2]

1. FM29-5, pp. 4 and 5.
2. See for instance Manuel du Grade d'Infanterie, Chap. XIII. Parts V and following; or Règlement du Service dans l'Armée Service Intérieur des corps de troupe du Génie -- Charles Lavauzelle ed., Paris 1933. La garde de police, pp. 83-86.

but, with regard to traffic control, control of movements of civilians, or of military personnel, they were undoubtedly insignificant in French camps, usually smaller than American camps, and with much less mechanized equipment.

A striking example of the relations between the Gendarmerie and military reservations is to be found in art. 262. of the Decret sur l'organisation de la gendarmerie (p. 661).

"Military personnel who must be delivered to the gendarmerie (for instance after criminal offenses) are accompanied to the prison or the Gendarmerie building itself by detachments of their own military units....Gendarmes must never enter the military reservations to arrest military men."

This is obviously quite different from the American rule (FM29-5, chapter 3, p. 11, on arrests).

"On military reservations...and in the theater of operations the military police, in proper cases, may arrest persons whether they are in the military service or not."

2. In civil communities. Here, by and large, the duties of the American military police are similar to those of the French Gendarmerie. They are mainly (FM29-5, chapter 2, pp. 6-7, section 2) "to apprehend deserters and other unauthorized absentees." This is also one of the most important duties of the French gendarmes acting as military policemen. (The functions of the Gendarmerie with the described in detail in part III of this report.)

B. Military police wartime duties

Here, very important police duties are performed by the American police, which do not come under the French military policy, but rather under quite different organizations.

They mainly refer to traffic control (FM29-5, chapter 6, pp. 25-127) and to prisoners of war (ibid., chapter 7, pp. 128-159).

It is striking to see the importance of those functions within United States military police duties; in fact, Basic Manual FM29-5, which includes 160 pages, devotes 102 pages to traffic control and 12 pages to prisoners of war.

1. Traffic control. In France, traffic control usually comes under the "Service des Transports sur Route" which is a staff organization.[3] Columns on their way to new posts and stations must strictly obey the regulations issued by this service.

In the United States army, control of straggling is a primary function of the military police. Straggling occurring during marches of regiments and smaller units is usually controlled by unit commanders; this was the same in France. But in the American army "in marches of larger units, military police patrols march in the rear for purpose of straggler apprehension."[4] It seems unlikely that such duties come under the French gendarmerie in war time.

The commander of motorized transports control in France was usually an officer of the "Train des Equipages."

3. See Manuel du Grade d'Infanterie -- Titre XIII, Chapter IV, pp. 746 and ff. No special French military handbook on traffic control has been found in Washington, and French officers of the French Military Mission were not specially well informed on this subject.
4. FM29-5, p. 20.

For railroad transports in France, any station of reasonable importance was under a "military commissioner" who had to lay down the traffic plan with the interested commanding officers. The latter usually detailed a police guard of one officer, one non-commissioned officer, and about fifteen men, to supervise the execution of the traffic plan. They had nothing else to do with military police functions.

The question has been raised whether the military organization in charge of traffic controlwas responsible for the complete dislocation of orderly French retreat in May-June 1940. It is obviously difficult to pass now any definite judgment on this case. What may be said is that refugee movements interfered heavily with an orderly military retreat. Basic Manual FM29-5, pp. 51-52, studies at length this question, which remains under military police control in the American army. In France, conflicting orders issued by the Government, the Prefects, and the Mayors led to a dreadful confusion.[5] Local refugee movements were supervised by Gendarmes and Mobile Police Guards who were heavily outnumbered by a panicky population.

2. Prisoners of war. In the French set-up, control of war prisoners does not come under the military police.

It had been lately organized by Executive Order No. 7130-1/EM.A of 6 November 1939,[6] under Titre II "Organisation du service des prisonniers de guerre".

5. For all this see Pertinax Les Fossoyeurs (Gravediggers) Vol. I, pp. 273 and ff. The question was discussed, without any result, by General Weygand at the Supreme Council on 22 May 1940. Refugees should have been barred from the trunk roads and so on, but nothing was actually done.
6. See Bulletin Officiel de Ministere de la Guerre, de Pensions, de l'Air et de l'Armement, pp. 5310-5348.

In the American army (FM29-5 pp. 129 and ff.) "at division collection points and in rear thereof, prisoners of war are guarded by military police."

In France, prisoners of war were grouped in regional "depots" ("officers depots" and "non-commissioned and men's depots"). These depots were administered by French officers and men inducted for limited duties, usually elderly men.

a. From front line to division collection points, the French system was similar to the American one.

b. From division collection points to the rear (in France, to depots), war prisoners are escorted by military police in the American army and by normal military escorts, as designated by the commander, in the French army.

c. In the rear, the war prisoners are under the military police in the American set-up and under the Depôts de prisonniers de guerre in France. These depots had apparently nothing in common with the Gendarmerie.

III. French military police Gendarmerie and Mobile Guards

There were, in pre-war times, three different groups of Gendarmerie in Metropolitan France: The Gendarmerie départementale de l'Interieur, or Gendarmerie proper. The Garde Republicaine in Paris. The Garde Republicaine mobile.[7]

7. The Gendarmerie maritime, which will not be described at length hereafter, was a military body similar to the Gendarmerie Nationale. According to the reorganization decree of 6 May 1936 "the Gendarmerie maritime was specially assigned to the security and policing of forts, arsenals and navy establishments, as well as to all maritime judicial police duties. It was a dismounted body of troops, forming part of the navy and responsible to the Navy Minister. Its units took form up at the right of all other corps of the Navy. Besides their special duties, the members of the Gendarmerie maritime were empowered to exercise the functions assigned to the Gendarmerie by the laws and regulations."
See: Organization and Methods of the French Police, Georges Audebert, 1938.

A. When organized

1. The Gendarmerie was instituted by the laws of 22 December 1790 and of 28 Germinal, year VI, supplemented by the decrees of 1 March 1856, 20 May 1903, and 1 December 1928.

In the description which follows reference will be made chiefly to the decree of 1 December 1928 and the regulations of 27 June 1929, as embodied in the Décrets annotés sur l'organisation de la gendarmerie et sur le service de la gendarmerie.

2. The Republican Guard in Paris.[8] The Republican Guard, a body charged with the policing of the city of Paris, was created in 1802 under the name of Garde de Paris by Napoleon Bonaparte, then First Consul. In 1814 it took the name of Garde Royale de Paris, in 1830 that of Garde Municipale, and in 1870 of Garde Republicaine.

3. The Mobile Republican Guard.[9] The Mobile Republican Guard, a body specially assigned to the maintenance of order throughout the country, was created by a law of 22 July 1921, under the name of Peloton mobile de Gendarmerie.

During the closing years of the last century, Waldeck-Rousseau had pointed out the inadequacy of the Gendarmerie and the danger of using regular troops in the event of strikes and

8. Paris, Charles Lavauzelle, ed. 1930.
9. See: Georges Audebert, ibid.

riots. His plan for the institution of a legion of mobile gendarmerie was revived by Clemenceau in 1907 and adopted by Parliament at the time of the disorders which followed the first world-war.

B. Composition (prior to the French collapse)

1. The Gendarmerie. The Gendarmerie was composed at the bottom of squads numbering one or more by canton,[10] each squad comprising five to ten Gendarmes commanded by a senior non-commissioned or warrant officer. The squads were usually foot or horse, but sometimes they were equipped with motorcycles.

The squads of an arrondissement (an administrative unit under a sub-prefect) formed a section commanded by a junior officer. The departmental company, made up of a group of sections, was commanded by a major. The companies of a military district formed a legion, at the head of which was a colonel. Finally, inspecting generals were charged with the inspection of a sector of Gendarmerie, which comprised several legions.

A total of 21 legions represented the forces of the Gendarmerie, amounting to about 20,000 men.

2. The Republican Guard. The Republican Guard constituted a legion comparable to the legions of the Gendarmerie and comprising three infantry battalions of four companies and four squadrons of cavalry, making 2,200 foot guards and 800 horsemen.[11]

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10. A canton is an administrative unit made of several communes.
11. Decree of 22 May 1913.

3. The Mobile Republican Guard. The composition of the Mobile Republican Guard, commonly called Garde Mobile, was quite similar to that of the Gendarmerie and of the Republican Guard.

The basic unit was the platoon, composed of forty men mounted or dismounted, and commanded by a first or second lieutenant. A number of platoons formed a company, commanded by a captain, and several companies constituted a legion. Independent legions were commanded by a colonel, and legions forming part of a group, by a lieutenant colonel. The total strength for France was about 20,000 men. The companies or legions were divided among the principal cities, and were stationed more particularly near industrial centers and railway junctions.

C. Purpose

1. Gendarmerie. The purpose of the Gendarmerie, as defined by article 1 of the 20 May 1903 regulations, was as follows:

"The Gendarmerie is a body organized to guard public safety and to insure the maintenance of order and the enforcement of laws.

"A continual and repressive supervision is the essence of its duties.

"Its action is exercised in the whole national territory as well as in the armies.

"It is particularly designed to insure the safety of the countryside and of communications' points."

A description of the official duties of the Gendarmerie, with special emphasis on its relations with the army will be given hereafter.

2. Republican Guard. The Republican Guard could be summoned only by the Prefect of Police of Paris. Its role was to help maintain order and prevent uprisings. It also supplied guards and sentries for the Elysée Palace, the Institute of France, and certain other official buildings, as well as guards of honor at official ceremonies.

3. Mobile Republican Guard. The Mobile Republican Guard was primarily used to break up unlawful assemblies, to compel the evacuation of factories occupied by strikers, and the like. According to the aspect of the latest important demonstrations it had been called upon to suppress, its members were successively considered "defenders of liberty" or "slaughterers of the people."

In any case the black-helmeted guards were not popular, and were feared for the brutality they had shown on some occasions, principally on the night of the riots of 6 February 1934 in front of the Chamber of Deputies. Prior to the elections of the Popular Front in 1936, the late Prefect of Police in Paris, Chiappe, was accused of using the Garde Mobile to protect the so-called Fascist leagues. Daladier, in November 1938, sent 10,000 Mobile Guards to the Renault factory to break a strike there.

D. Appointment of the Gendarmerie

1. Gendarmes and non-commissioned officers. Gendarmes were recruited among privates and non-commissioned officers of the regular army who had remained on duty at least one year more than the legal duration of the compulsory military service. Their ages were from 21 to 40; they had to meet normal physical and intellectual requirements; and their civil and military behavior had to be irreproachable.

Upon request, candidates were proposed either by their unit commanders (if still on active duty) or by their local Gendarmerie commanders (if on the reserve list) to the Minister of War (Direction de la Gendarmerie). According to the number of vacancies, candidates were classified as follows:

a. By the number of years of active duty beyond the legal duration of the military service;

b. By their ranks in the army;

c. By the dates of their requests.

Candidates who had been admitted according to their qualifications were first "pupil guards" in the Republican Guard in Paris or in the Mobile Guard, and were required to take a course of instruction in a special platoon for six months. If their records during these six months were acceptable, they became "titulary guards" and were sent either to the Gendarmerie or to the Mobile Guards, according to the openings.

The lowest rank of Gendarme (or mobile guard) corresponded to the sergeant or maréchal de logis of the regular army.

Next came the maréchal de logis chef, the adjudant, and the adjudant chef.

Maréchaux de logis chefs were recruited among:

(1) Maréchaux de logis, according to seniority rules;

(2) Military men, 25 to 35 years old, who had been maréchaux de logis chefs or sergeants chefs in a regular army corps with at least four years of non-commissioned duties;

(3) Former reserve officers.

Adjudants and adjudants chefs were always appointed according to seniority rules from among maréchaux de logis chefs or adjudants already belonging to the Gendarmerie.

The Minister of War appointed the adjudants chefs.

The legion commander of Gendarmerie (a colonel) appointed the other non-commissioned officers of Gendarmerie.

2. Officers of Gendarmerie.

a. Lieutenants

(1) One-half of the openings were reserved for lieutenants, 25 to 35 years old, coming from other army corps.

(2) Forty per cent was reserved to other regular officers, 25 to 40 years old, and to non-commissioned officers of the Gendarmerie who had been maréchaux de logis chefs for at

least two years and who also had especially good records.

(3) Ten per cent was reserved to former adjudants of Gendarmerie with at least ten years of seniority.

b. Captains

(1) Seventy-five per cent were recruited among Gendarmerie lieutenants.

(2) Twenty-five per cent were recruited among captains from the regular army, 26 to 42 years old, who had been active officers for at least seven years.

c. Majors and Colonels. Majors and colonels were entirely selected from among former captains of Gendarmerie.

3. Special requirements. Besides the age requirements mentioned above, the Gendarmes (and Mobile Guards) had to meet certain physical and educational requirements.[12]

a. Physical. Dismounted Gendarmes had to be at least 1,66 meters tall. Mounted Gendarmes had to be at least 1,64 meters tall.

b. Educational. In general, Gendarmes must have received the normal instruction of a public elementary school.[13] All lieutenants and captains were required to take a six months' course in the police training school at Versailles.

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12. This was supplemented by the training course received by the "pupil guards" during six months. This training included a thorough study of the duties of the Gendarmerie and of the corresponding regulations, the use of individual and automatic weapons, the normal methods of individual attack and defense.
13. See: Organisation et Service de la Gendarmerie, p. 23.

4. Pay. The regular pay of the non-commissioned officers of Gendarmerie seems to have been fairly similar to the pay of corr sponding ranks in the army. This pay was supplemented by a special premium to the Gendarmerie; as of 1919, this premium amounted roughly to 1,100 French francs a year for non-commissioner officers and to 1,500 francs for officers.[14]

By and large, the total earnings of a member of the Gendarmerie compared favorably with those of a regular army man in the same rank.

E. Place in Army Organization

The Gendarmerie was a part of the National Army. Its units took form up at the right of all other corps of the Army.

14. See: Organisation et Service de la Gendarmerie, p. 70.

F. Official duties of the gendarmerie

The Gendarmerie was simultaneously under the Ministries of War, of Interior, of Justice.

The Ministry of War recruited and administered the personnel.

The Minister of Interior, through the Prefects, had the Gendarmerie at his disposal for the exercise of administrative police functions.

The Minister of Justice, through the intermediary of the Parquet requisitioned the officers and gendarmes for repressive acts proper to the judicial police.

1. Military police duties.

a. General duties.[15]

(1) The Gendarmerie had to look for and arrest deserters and the so-called insoumis. By deserters, the French law means those military men who have illegally abandoned their corps for a time exceeding a certain period. By insoumis, it means those men who have failed to join their corps when duly inducted.

(2) The Gendarmerie had to inquire about soldiers on irregular leave of absence; about those who became ill during leaves of absence, or who died during such leaves.

(3) It was charged with the police of localities momentarily occupied by military forces, and with the policing of stragglers.

15. Décret sur l'organisation et le service de la gendarmerie; art. 216-238, pp. 526-566.

(4) It escorted military men guilty of criminal offenses who had been delivered over by their corps.

(5) It assisted the military command in matters of housing and food supply during maneuvers in peace time or marches in war time.

(6) It was charged with the policing of the draft and attended the pre-induction physical examinations (Conseils de revision).

(7) The Gendarmerie was charged with the transfer of military prisoners.[16]

(8) The Gendarmerie was charged with military judicial police duties.[17]

(9) It had to investigate and apprehend men guilty of criminal offenses and deliver them to the military authorities.

2. Duties towards administrative and judicial authorities.[18] Certain formalities were to be observed before the troops of the Gendarmerie could be used by the administrative and judicial authorities.

Prefects, sub-prefects, mayors, and deputy-mayors, as administrative officials of the national government, could address a signed demand to a Gendarmerie commander to put his men at their disposal for the maintenance of order and public security.

This was the right of requisition. This right belonged also to Procureurs Généraux and Procureurs de la République (public

16. Décret sur l'organisation et le service de la gendarmerie; art. 257-271, pp. 655-664.
17. Ibid., Art 145-146, pp. 340-363.
18. Ibid., Art. 66-98, pp, 276-310.

prosecutors), judges and magistrates of the Parquet, justices of the peace, and their substitutes, presidents of Courts of Appeal, police commissioners, and, finally, to the presidents of the Chamber of Deputies and of the Senate.

Brigade Commanders themselves retained the authority to fix the number of troops to be used.[19]

The Gendarmerie was also charged with the policing of political elections.

3. General police duties[20]

a. Ordinary police duties. The Gendarmerie continually patrolled roads, country towns and villages, and rural areas.

It made search for the authors of crimes or of misdemeanors and apprehended suspected persons.

It helped the municipal authorities in case of flood, fire, or other public calamity.

It supervised aliens, and people confined in certain towns or regions.

It was charged with the policing of gatherings. It was required to insure the liberty of worship and of circulation.

It exercised the policing of roads, supervised the posting of bills, and enforced public health regulations. It protected farmers, and controlled traffic, according to the regulations

19. This assistance by the Gendarmerie (and by the Mobile Guards) to the administrative and judicial authorities was particularly important in cases of strikes, riots, and popular unrest. The Mobile Guards played an important role in quelling the famous uprising of 6 February 1934, and the last general strike in France on 30 November 1938.
20. Ibid., Art. 149-215, pp. 364-526.

of the Code de la route. It supervised beggars and peddlars, and prevented smuggling. It also maintained night patrols.

b. Extraordinary police duties[21]

The Gendarmerie assisted the custom officers, the tax collectors, and the bailiffs. It also assisted the railway police,[22] and accompanied the transporting of such dangerous commodities as explosives.

3. Civil judicial police duties.[23] The officers of Gendarmerie were officers of judicial police for civil as well as for military affairs.

They investigated crimes and misdemeanors, assembled evidence and testimonies, and apprehended and delivered suspected people to the judicial authorities.

They could receive complaints and denunciations regarding crimes and other offenses, and informed public prosecutors on these matters.

Under the general guidance of the judicial authorities they carried out the execution of warrants of search, of seizure, and of arrest.

G. Gendarmerie with tactical forces[24]

1. Composition. In war-time, every division incluced in its staff one junior officer of Gendarmerie assisted by one

21. Ibid., Art. 290-291, pp. 672-679.
22. For instance, at grade crossings.
23. Ibid., Art. 110-166, pp. 318-359.
24. The participation of the Gendarmerie in war-time military operations had been outlined by the regulations of 31 July 1911 (Ibid., Chap. V Art. 3-1, p. 693); it has not been possible to find any copy of these regulations in Washington but a few details have been communicated by the French Military Mission.

secretary and fourteen gendarmes. This force constituted the so-called prévôté of the division, and the staff officer mentioned above was the division's prévôt.

Every army corps included in its staff one major of Gendarmerie assisted by one secretary and thirty Gendarmes under the command of a junior officer. This constituted the prévôté of the army corps and the above mentioned major was the grand prévôt of the army corps.

For an army made up of about one hundred divisions and twenty army corps the forces of gendarmerie would therefore include about two thousand gendarmes and 140 officers of gendarmerie.

Obviously only a small part of the Gendarmerie and of the mobile guards served with tactical forces. During 1939-1940 the great bulk of the French military police forces remained either in the interior performing normal police duties, or in the theater of operations performing, outside the tactical forces, the same kind of police duties.

Finally, it should be said that in some cases officers and gendarmes or mobile guards could ask to serve without police functions, in their former units in the regular army.

2. The duties of the prévôté. Two forces cooperated in the military police operations in a theater of operations: the Gendarmerie and mobile guards, who had kept their peace time assignments in the same zone, and those who were at the moment serving as prévôts with tactical forces.

The duties of the prévôté, with such small forces (about 15 men for each division), were obviously limited. By and large they were similar to those listed in FM 29-5 pp. 6-67 for the American military police, but did not include traffic control, evacuation of civilians, or custody of war prisoners. According to French experience, the most important were those similar to the duties listed under (g) in FM29-5, p. 7: cooperating with the military intelligence to investigate cases involving espionage, sabotage, and subversive activities among soldiers as well as among civilians.

H. The military police under Vichy

The main changes which have taken place in the military police under Vichy are as follows:

1. The Gendarmerie has been transferred from the War Department to Pierre Laval himself.[25] The former direction of the Gendarmerie and military justice at the War Department has been broken into two parts. The Gendarmerie is now under a Directeur Général de la Gendarmerie,[26] at the disposal of Laval, the chief of government. Officials of the Gendarmerie are auxiliary officers of the Police Judiciaire and brigades of this body are stationed in all regions. In January 1943 it was announced that from then on Gendarmes would have to take an oath of allegiance to the chief of state. Military justice remains within the War Department.

25. Journal Officiel, 3 June 1942, p. 1946.
26. First incumbent: Pierre Chasserat, former Maitre des Requêtes at the Council of State.

2. The Mobile Guard "which formerly aided police in strikes and public demonstrations" is reported to have kept its internal structure, but it is now under the Secretary of State for the Interior. A special department is reported to have been created inside the Ministry itself to govern it, called the Directorate General of the Garde Mobiles.[27]

3. The Republican Guard of Paris seems to have been transferred to Marshal Henri Philippe Pétain's private guard.[28]

The Gendarmerie, which was rather popular in pre-war time and certainly respected, is now pro-Allied.

27. News Digest, quoting the Pariser Zeitung, 10 April 1943.
28. New York Times, 24 July 1942.